

**UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY**

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

THOMAS S. LARSON
SUPERVISING PROBATION OFFICER

August 16, 2010

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The Honorable William H. Walls
Sr. United States District Court Judge
Martin Luther King Jr. Federal Building and Courthouse
PO Box 999
Newark, New Jersey 07102-0999

RE: FARAH, Willy
Dkt. No.'s: 01-CR-210
01-CR-655

**REQUEST FOR MODIFICATION
OF THE CONDITIONS OF
SUPERVISION**

Dear Judge Walls:

On January 9, 2004, the above-mentioned offender appeared before Your Honor for sentencing on two separate cases. On case number 01-CR-210, Farah was convicted of four counts of Fraud by Wire, and four counts of Money Laundering-Wire Fraud. Your Honor sentenced the offender to sixty (60) months custody on the Fraud by Wire offenses, and to eighty (80) months custody for the Money Laundering-Wire Fraud offenses. The eighty (80) month custodial term was ordered to be served concurrently with an eighty (80) month custodial term imposed for a Bank Fraud offense on case number 01-CR-655, for a total sentence of eighty (80) months. Upon being released from custody, the offender was placed on supervised release for three (3) years for the Fraud by Wire offense, and five (5) years for the Money Laundering-Wire Fraud offenses. The supervised release terms were also ordered to be served concurrently with the five (5) year supervised release term imposed on case 01-CR-655. While on supervised release, Farah was ordered to comply with special conditions restricting the offender from possessing, purchasing, or otherwise obtaining access to any form of computer network, bulletin board, internet, or format involving computers, unless specifically authorized by the Probation Officer, with any dispute as to the applicability of this condition to be decided by the Court, financial disclosure, and prohibition against the offender from incurring any new credit charges or opening additional lines of credit without the approval of the Probation Officer, unless the defendant is in compliance with a payment schedule. He was ordered to pay a special assessment in the amount of \$650 as he has satisfied.

As previously mentioned, the offender also appeared before Your Honor for sentencing on case number 01-CR-655 on the same date. He was sentenced to eighty (80) months custody with a term of five (5) years of supervised release supervision for a Bank Fraud offense with the sentence imposed ordered to run concurrent with the 01-CR-210 case. Special conditions of financial disclosure, prohibition against the offender from incurring any new credit charges or opening

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additional lines of credit without the approval of the Probation Officer, unless the defendant is in compliance with a payment schedule, and computer monitoring whereby the offender was ordered to submit to an initial inspection by the probation office, as well as any unannounced examinations during supervision, of the defendant's computer equipment. Farah was ordered to allow the installation on his computer of any hardware or software systems which monitor computer use. He was also ordered to comply with the collection of a DNA specimen on both cases. Lastly, Farah was also ordered to pay a special assessment of \$100 on this case, and restitution totaling \$11,327, 612.04 for both cases.

Farah was released from custody on December 8, 2009, and has been supervised in the Middle District of Florida as he is a resident of their district.

We received correspondence dated March 18, 2010, from U.S. Probation Officer John Celano, requesting that the Court be notified relating to two issues which have arisen during the supervision term. Upon his release, Farah obtained employment with a marketing company which solicits customers from predominantly Arabic communities who are seeking to restructure their mortgages. The company acts as an intermediary assisting the clients in completing paperwork and dealing with various lending institutions. According to the correspondence, Farah's brother is in the process of buying an ownership interest in the company.

Upon request Farah provided his supervising probation officer with a written statement describing his job responsibilities. His job responsibilities involve the use of a computer according to the offender, with Farah seeking permission for internet access. Our office does not object to the offender using a computer for internal programs for his employer, however, they do recommend to the Court that the offender be denied from having internet access at the time. As indicated at the time of sentencing, we are notifying the Court, as Your Honor stated that any dispute as to the application of this special condition will be resolved by the Court.

Additionally, Farah has agreed, as evidenced by his signature on Probation Form 49(Waiver of Hearing to Modify Conditions of Probation/Supervised Release), to increase the amount of his restitution payments to \$300 a month.

We are respectfully requesting the Court's consideration as to if Farah should be granted permission by the Court for internet access, as Probation is opposed to the offender's request at the time. Additionally, we are also requesting the Court's consideration to modify the offender's conditions of supervision, to include the monthly payment schedule as reflected on the attached Probation Form 49. We have also included Middle District of Florida U.S. Probation Officer Celano's letter for Your Honor's perusal.

Should Your Honor require additional information or wish to discuss the matter further the undersigned officer is available at (973) 357-4081 at your convenience.

FCA SOLUTIONS

5728 MAJOR BLV. STE 309

ORLANDO FL 32819

Phone: 407 401 8929

Willy Farah
Job Description

Internet Access for Payroll

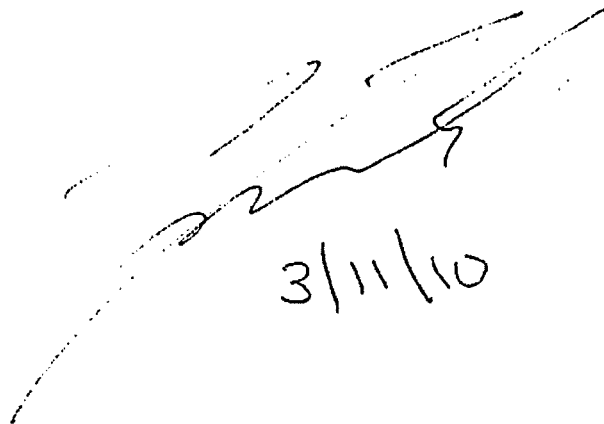
Quarterly Tax Report

Quick Books Management for company reporting

Internet banking transaction for payments

Computer access to operate Microsoft word

Computer access for appointment setting




3/11/10

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Very truly yours,

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer

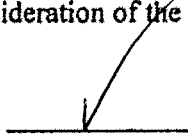

By: Kevin J. Mullens
Senior U.S. Probation Officer

/kjm

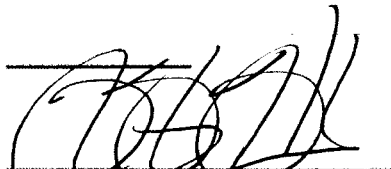
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Upon the consideration of the Court, the offender's request for permission to have internet access is:

Approved



Denied



The Honorable William H. Walls, Sr. U.S.D.J.


Date